U.S. Department of the Interior Bureau of Land Management Little Snake Field Office 455 Emerson Street Craig, CO 81625-1129

# DOCUMENTATION OF LAND USE PLAN CONFORMANCE AND NEPA ADEQUACY

NUMBER: DOI-BLM-CO-N010-2010-0110-DNA

CASEFILE/ALLOTMENT NUMBER: 0501112 / 04080

PROJECT NAME: Renewal of the grazing lease on the Boone Gulch Allotment #04080.

<u>PLANNING UNIT</u>: The allotment is contained within Management Unit (MU) 1, Eastern Yampa River.

LEGAL DESCRIPTION: Also see allotment map (Attachment #1).

**#04080 Boone Gulch** T7N R9W part of Sections 23 and 26

120 acres BLM

APPLICANT(S): Leasee

### A. Describe the Proposed Action

Renew grazing lease #0501112 on the Boone Gulch Allotment #04080 held by the qualified leasee until February 28, 2020. There would be no changes to the existing lease.

Allotment	Live	stock	Date	es		
Name and Number	Num	ber and Kind	Begin	End	%PL	AUMs
Boone Gulch	3	C	06/01	10/30	100	15
#04080						

### **Special Terms and Conditions**

The authorized class of livestock may be either sheep or cattle. If sheep are authorized, the maximum number for this season of use is 15.

The above lease would be subject to the Standard and Common Terms and Conditions, see Attachment #2.

### B. Land Use Plan (LUP) Conformance

LUP Name: Little Snake Resource Management Plan and Record of Decision (ROD)

Date Approved: April 26, 1989

Final RMP/EIS, September 1986

Draft RMP/EIS, February 1986

Other Documents:

<u>Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado</u> Date Approved: <u>February 12, 1997</u>

The Federal Land Policy and Management Act of 1976, as Amended (43 USC 1752)

Rangeland Reform Final Environmental Impact Statement, December 1994.

The proposed action is in conformance with the applicable LUPs because it is specifically provided for in the following LUP decisions.

The Proposed Action implements the Resource Management Plan Livestock Grazing Management objective on page 10 of the ROD to improve range conditions through proper utilization of key forage plants and adjust livestock stocking rates. Also, as stated on page 11 of the ROD, the goal of the livestock management program is to improve the rangeland forage resource by managing toward a desired plant community, and states "In the future, allotment categorization, levels of management, and lease modifications could be made if additional information suggests that this is warranted in order to achieve or make significant progress toward achieving the Colorado Standards for Rangeland Health" (43 CFR 4180). The proposed action has been reviewed for conformance with this plan (43 CFR 1610.5 BLM 1617.3). The proposed action of renewal of the grazing permits and lease is in conformance with the Little Snake RMP/ROD.

### C. Identify applicable NEPA documents and other related documents that cover the proposed action.

Rangeland Program Summary (RPS), Little Snake Resource Area, November 15, 1990

Standard Terms and Conditions (See Attachment 2)

Standards for Public Land Health and Guidelines for Livestock Grazing in Colorado Date Approved: February 12, 1997

FLPMA, Section 402 as amended (43 USC 1752)

Colorado Public Land Health Standards, Decision Record and Finding of No Significant Impact and Environmental Assessment, March 1997.

Environmental Assessment CO-016-LS-99-017 Renewal of the ten-year grazing permit for the Boone Gulch Allotment.

### D. NEPA Adequacy Criteria

# 1. Is the current proposed action substantially the same action (or is a part of that action) as previously analyzed? Is the current proposed action located at a site specifically analyzed in an existing document?

Yes. The public lands within the Boone Gulch #04080 Allotment were analyzed in the RMP/EIS (page A8-14). The Boone Gulch Allotment was designated as "C" (Custodial) allotment. The Proposed Action received additional site-specific analysis in the Environmental Assessment CO-016-LS-96-129. This EA was prepared for a transfer of grazing privileges and a change in kind of livestock; the EA analyzed the grazing use that is to be continued under the current proposal. Another EA, CO-016-LS-99-017 was prepared to renew the grazing lease in 1999.

## 2. Is the range of alternatives analyzed in the existing NEPA document(s) appropriate with respect to the current proposed action, given current environmental concerns, interests, and resource values?

Yes, the multiple use alternatives analyzed in the valid NEPA documents are still appropriate. The current environmental concerns, interests, and resource values are essentially the same as those in 1996 and 1999. No new alternatives have been proposed by the public to address current or additional issues or concerns.

### 3. Is the existing analysis valid in light of any new information or circumstances?

Yes. The Proposed Action would have no disproportionate impacts on minority populations or low income communities per Executive Order (EO) 12898 and would not adversely impact migratory birds per EO 13186.

Resource conditions on the Boone Gulch #04080 Allotment meet objectives and goals. The previous analysis remains valid. No new, threatened or endangered plant or animal species have been identified on the allotments. Data reaffirms that the RMP identified all resource concerns for these allotments.

## 4. Do the methodology and analytical approach used in the existing NEPA document(s) continue to be appropriate for the current proposed action?

Yes, the methodology and analytical approach used in the existing NEPA documents continue to be appropriate for the Proposed Action. Impacts to all resources were analyzed.

# 5. Are the direct and indirect impacts of the current proposed action substantially unchanged from those identified in the existing NEPA documents(s)? Does the existing NEPA document analyze site-specific impacts related to the current proposed action?

Yes. Direct and indirect impacts of the Proposed Action are within the parameters of those identified in the existing NEPA documents. Impacts regarding the Proposed Action to authorize livestock grazing on the Boone Gulch #04080 Allotment at the current grazing intensity and period of use are within the scope of the existing analysis. Monitoring data, including an allotment specific analysis of resource conditions, assure that these allotments are in compliance with the Colorado Public Land Health Standards. No adverse site specific impacts were identified in this analysis (see Attachment 3).

The Proposed Action would provide for at least the minimum legal requirements for cultural resources management and protection and would generally result in benefits through cultural resource data acquisition resulting from required cultural resource survey work.

Previously identified sites and new sites recorded and evaluated as eligible and/or need data sites during a Class III survey will need to be monitored. Initial recordation of new sites and reevaluation of known sites will establish the current condition of the resource and help in developing a monitoring plan for all of these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection or other mitigative measures developed (see Attachment 4).

6. Can you conclude without additional analysis or information that the cumulative impacts that would result from implementation of the current Proposed Action substantially unchanged from those analyzed in the existing NEPA document(s)?

Yes. The cumulative impacts that would result from the implementation of the Proposed Action would remain unchanged from those identified in the existing NEPA documents. No additional activities have been implemented on either that would change the impacts resulting from the Proposed Action.

## 7. Are the public involvement and interagency review associated with existing NEPA document(s) adequately for the current Proposed Action?

Yes. Extensive public outreach through scoping and involvement of the public and other agencies occurred during the development of the RMP/EIS and Environmental Assessment CO-016-LS-99-017.

**E. Interdisciplinary Analysis:** Identify those team members conducting or participating in the preparation of this worksheet.

F.

Name	Title	Resource	Initials	Date
Emily Spencer	Ecologist	Air Quality, Floodplains	ELS	7/26/10
		Prime/Unique Farmlands, Water	ELS	7/20/10

		Quality – Surface, Wetlands/Riparian Zones		
Robyn Morris	Archaeologist	Cultural Resources, Native American Concerns	RWM	7/19/10
Louise McMinn	Realty Specialist	Environmental Justice	LM	7/12/10
Kathy McKinstry	Rangeland Mgmt. Specialist	Hazardous Materials	KLM	7/27/10
Christina Rhyne	Rangeland Mgmt. Specialist	Invasive Non-native Species	CR	7/14/10
Hunter Seim	Rangeland Mgmt. Specialist	Sensitive Plants, T&E Plant	JHS	7/22/10
Desa Ausmus	Wildlife Biologist	T&E Animal	DA	7/27/10
Marty O'Mara	Geologist	Water Quality - Ground	EMO	7/15/10
Gina Robison	Outdoor	WSA, W&S Rivers	GMR	7/12/10
	Recreation Planner			
Standards				
Desa Ausmus	Wildlife Biologist	Animal Communities	DA	7/27/10
Desa Ausmus	Wildlife Biologist	Special Status, T&E Animal	DA	7/27/10
Kathy McKinstry	Rangeland Mgmt. Specialist	Plant Communities	KLM	7/29/10
Hunter Seim	Rangeland Mgmt.	Special Status, T&E Plant	JHS	7/22/10
Tranter Senii	Specialist	Special Status, 1 CL 1 faint	3110	7/22/10
Emily Spencer	Ecologist	Riparian Systems	ELS	7/27/10
Emily Spencer	Ecologist	Water Quality	ELS	7/27/10
Emily Spencer	Ecologist	Upland Soils	ELS	7/27/10

### **Land Health Assessment**

This action has been reviewed for conformance with the BLM's Public Land Health Standards adopted February 12, 1997. This action would not adversely affect achievement of the Public Land Health Standards. A Standards Assessment for the Boone Gulch #04080 Allotment was completed on July 26, 2010 by an interdisciplinary team consisting of specialists from wildlife biology, rangeland management and soil, water and air. This allotment is failing Standard 3, the healthy vegetation standard, due to the high levels of the noxious/invasive weeds houndstongue (*Cynoglossum officinale*), leafy spurge (*Euphorbia esula*) and dalmation toadflax (*Linaria genistifolia spp. Dalmatica*). Current livestock management is not a causal factor of the non-attainment of this standard.

### **Cultural Resources Review**

The Proposed Action would provide for at least the minimum legal requirements for cultural resources management and protection and would generally result in benefits through cultural resource data acquisition resulting from required cultural resource survey work.

Previously identified sites and new sites recorded and evaluated as eligible and/or need data sites during a Class III survey will need to be monitored. Initial recordation of new sites and reevaluation of the known sites will establish the current condition of the resource and help in developing a monitoring plan for all of these sites. Some sites will have to be monitored more often than others. Sites that are found to be impacted by grazing activities will need physical protection and other mitigative measures developed (see Attachment #4).

### **Conclusion**

Based on the review documented above, I conclude that this proposal conforms to the applicable land use plan and that the NEPA documentation fully covers the Proposed Action and constitute BLM's compliance with the requirements of NEPA.

Signature of Lead Specialist	Date
Signature of NEPA Coordinator	Date
Signature of the Authorizing Official	Date

Note: The signed <u>Conclusion</u> on this document is part of an interim step in the BLM's internal decision process and does not constitute an appealable decision.

## ATTACHMENT #2 DOI-BLM-CO-N010-2010-0110-DNA TERMS AND CONDITIONS

### **Standard Terms and Conditions**

- 1) Grazing permit or lease terms and conditions and the fees charged for grazing use are established in accordance with the provisions of the grazing regulations now or hereafter approved by the Secretary of the Interior.
- 2) They are subject to cancellation, in whole or in part, at any time because of:
  - a. Noncompliance by the permittee/lessee with rules and regulations;
  - b. Loss of control by the permittee/lessee of all or a part of the property upon which it is based;
  - c. A transfer of grazing preference by the permittee/lessee to another party;
  - d. A decrease in the lands administered by the Bureau of Land Management within the allotment(s) described;
  - e. Repeated willful unauthorized grazing use;
  - f. Loss of qualifications to hold a permit or lease.
- 3) They are subject to the terms and conditions of allotment management plans if such plans have been prepared. Allotment management plans MUST be incorporated in permits and leases when completed.
- 4) Those holding permits or leases MUST own or control and be responsible for the management of livestock authorized to graze.
- 5) The authorized officer may require counting and/or additional or special marking or tagging of the livestock authorized to graze.
- The permittee's/lessee's grazing case file is available for public inspection as required by the Freedom of Information Act.
- 7) Grazing permits or leases are subject to the nondiscrimination clauses set forth in Executive Order 11246 of September 24, 1964, as amended. A copy of this order may be obtained from the authorized officer.
- 8) Livestock grazing use that is different from that authorized by a permit or lease MUST be applied for prior to the grazing period and MUST be filed with and approved by the authorized officer before grazing use can be made.
- 9) Billing notices are issued which specify fees due. Billing notices, when paid, become a part of the grazing permit or lease. Grazing use cannot be authorized during any period of delinquency in the payment of amounts due, including settlement for unauthorized use.

- Grazing fee payments are due on the date specified on the billing notice and MUST be paid in full within 15 days of the due date, except as otherwise provided in the grazing permit or lease. If payment is not made within that time frame, a late fee (the greater of \$25 or 10 percent of the amount owed but not more than \$250) will be assessed.
- 11) No member of, or Delegate to, Congress or Resident Commissioner, after his/her election of appointment, or either before or after he/she has qualified, and during his/her continuance in office, and no officer, agent, or employee of the Department of Interior, other than members of Advisory committees appointed in accordance with the Federal Advisory Committee Act (5 U.S.C. App. 1) and Sections 309 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.) shall be admitted to any share or part in a permit or lease, or derive any benefit to arise therefrom; and the provision of Section 3741 Revised Statute (41 U.S.C. 22), 18 U.S.C. Sections 431-433, and 43 CFR Part 7, enter into and form a part of a grazing permit or lease, so far as the same may be applicable.

### **Common Terms and Conditions**

- A) Grazing use will not be authorized in excess of the amount of specified grazing use (AUM number) for each allotment. Numbers of livestock annually authorized in the allotment(s) may be more or less than the number listed on the permit/lease within the grazing use periods as long as the amount of specified grazing use is not exceeded.
- B) Unless there is a specific term and condition addressing utilization, the intensity of grazing use will insure that no more than 50% of the key grass species and 40% of the key browse species current years growth, by weight, is utilized at the end of the grazing season for winter allotments and the end of the growing season for allotments used during the growing season. Application of this term needs to recognize recurring livestock management that includes opportunity for regrowth, opportunity for spring growth prior to grazing, or growing season deferment.
- C) Failure to maintain range improvements to BLM standards in accordance with signed cooperative agreements and/or range improvement permits may result in the suspension of the annual grazing authorization, cancellation of the cooperative agreement or range improvement permit, and/or the eventual cancellation of this permit/lease.
- D) Storing or feeding supplemental forage on public lands other than salt or minerals must have prior approval. Forage to be fed or stored on public lands must be certified noxious weed-free. Salt and/or other mineral supplements shall be placed at least one-quarter mile from water sources or in such a manner as to promote even livestock distribution in the allotment or pasture.
- E) Pursuant to 43 CFR 10.4(g), the holder of this authorization must notify the authorized officer, by telephone, with written confirmation, immediately upon the discovery of

human remains, funerary items, sacred objects, or objects of cultural patrimony. Further, pursuant to 43 CFR 10.4(c) and (d), you must stop activities in the vicinity of the discovery and protect it for 30 days or until notified to proceed by the authorized officer.

The operator is responsible for informing all persons who are associated with the allotment operations that they will be subject to prosecution for knowingly disturbing historic or archaeological sites, or for collecting artifacts. If historic or archaeological materials are encountered or uncovered during any allotment activities or grazing activities, the operator is to immediately stop activities in the immediate vicinity and immediately contact the authorized officer. Within five working days the authorized officer will inform the operator as to:

-whether the materials appear eligible for the National Register of Historic Places; -the mitigation measures the operator will likely have to undertake before the identified area can be used for grazing activities again.

If paleontological materials (fossils) are uncovered during allotment activities, the operator is to immediately stop activities that might further disturb such materials and contact the authorized officer. The operator and the authorized officer will consult and determine the best options for avoiding or mitigating paleontological site damage.

- F) No hazardous materials/hazardous or solid waste/trash shall be disposed of on public lands. If a release does occur, it shall immediately be reported to this office at (970) 826-5000.
- G) The permittee/lessee shall provide reasonable administrative access across private and leased lands to the BLM and its agents for the orderly management and protection of public lands.
- H) Application of a chemical or release of pathogens or insects on public lands must be approved by the authorized officer.

The terms and conditions of these permits/leases may be modified if additional information indicates that revision is necessary to conform with 43 CFR 4180.

## ATTACHMENT #3 DOI-BLM-CO-N010-2010-0110-DNA Standards and Assessments

STANDARD 1. Upland soils exhibit infiltration and permeability rates that are appropriate to soil type, climate, land form, and geologic processes. Adequate soil infiltration and permeability allows for the accumulation of soil moisture necessary for optimal plant growth and vigor, and minimizes surface runoff.

This standard would continue to be met under the Proposed Action. Given the relatively good condition of the vegetation within the allotments and the light stocking rate, the proposed action would maintain sufficient plant cover to both protect the soil surface from wind and water erosion and allow the plant community to continue to produce litter is sufficient amounts to maintain litter and sustain appropriate water permeability.

Name of Specialist and date: Emily Spencer, 7/27/2010

STANDARD 2. Riparian systems associated with both running and standing water function properly and have the ability to recover from major disturbances such as fire, severe grazing, or 100-year floods. Riparian vegetation captures sediment and provides forage, habitat, and biodiversity. Water quality is improved or maintained. Stable soils store and release water slowly.

There are several lentic draws on the allotment, all of which were assessed in 2010 to be functioning at risk. Since this was the first riparian assessment, no trend could yet be detected. There is some evidence of livestock and wildlife use (trailing) in the draws, but this use does not appear to be adversely affecting the form or hydrologic function of the area. Boone Seep (BLM Spring #063-01), which was first recorded in 1982, was relocated and found to be dry, likely for climatic reasons. All riparian resources within the allotment are currently meeting standards public land health standard for riparian systems. This would not change under the Proposed Action.

Name of Specialist and date: Emily Spencer, 7/27/2010

STANDARD 3. Healthy, productive plant and animal communities of native and other desirable species are maintained at viable population levels commensurate with the species and habitat potential. Plants and animals at both the community and population levels are productive, resilient, diverse, vigorous, and able to reproduce and sustain natural fluctuations and ecological processes.

Approximately 23 of the 40 acres in the SW of the NE quarter of Section 23, T7N R90W have been planted in crested wheatgrass. Apparently, this acreage was inadvertently cultivated along with the private land many years ago. Upon discovery of the mistake, the land owner was told to plant crested wheatgrass on the BLM managed land. Because of this historical plant type conversion, these 23 acres are not supporting a diverse, native plant community and therefore this standard is not met at this location. The crested wheatgrass community is, however, providing

several critical functions, including rooting patterns which are holding soils in place and breaking up compaction layers; providing litter production and the associated decomposition processes, both of which affect infiltration and/or runoff. The seeding was vigorous and was preventing the spread of several invasive, noxious weeds, including hounds tongue, leafy spurge and Dalmatian toadflax, all of which were present in small amounts in the drainage in the center of the BLM parcel. Over time, shrubs such as Wyoming sagebrush, antelope bitterbrush, Oregon grape and green rabbitbrush will begin to establish within the seeding, creating a more diverse plant community. Livestock grazing is not the causal factor in the non-attainment of this standard at this location. The BLM cooperates with the Moffat County Cooperative Weed Management program to employ the principals of Integrated Pest Management to control noxious weeds on public lands and this location has now been identified for treatment.

The 40 acres in the SE of the SW quarter and the 40 acres in the NE of the SW quarter are a native plant community. These 80 acres have a healthy and diverse plant community. Several species of native grass, shrubs and forbs are present. This community is resilient as it is able to hold the invasive weed species to a relatively small area. The key species are appropriate for the allotment. Wildlife habitats are acceptable to promote diverse and viable populations. This standard would continue to be met with the Proposed Action.

Name of Specialist and date: Kathy McKinstry, 7/29/10

STANDARD 4. Special status, threatened, and endangered species (federal and state), and other plants and animals officially designated by BLM, and their habitats are maintained or enhanced by sustaining healthy native plant and animal communities.

Animals: The allotment provides habitat for greater sage-grouse, a Candidate for ESA listing and a BLM sensitive species. The area is considered overall habitat by the CDOW and does not provide any critical habitat, such as nesting, for this species. The crested wheatgrass seedings provide little value to greater sage-grouse and this standard is not met in these areas. However, sagebrush and grass communities on the allotment were in good condition, providing suitable habitat for this species. Although currently at an acceptable level, weedy species within the allotment are a concern as weeds may crowd out important grasses and forbs. This standard is currently being met, however, any increase in weedy species would lead to the allotment failing to meet this standard.

Name of Specialist and date: Desa Ausmus, 7/27/10

**Plants:** There are no federally listed threatened or endangered or BLM sensitive plant species present on this allotment. For plants, this standard does not apply.

Name of Specialist and date: Hunter Seim, 7/22/10

STANDARD 5. The water quality of all water bodies, including ground water where applicable, located on or influenced by BLM lands will achieve or exceed the Water Quality Standards established by the State of Colorado. Water Quality Standards for surface and

ground waters include the designated beneficial uses, numeric criteria, narrative criteria, and anti-degradation requirement set forth under State law as found in 5 CCR 1002-8, as required by Section 303 of the Clean Water Act.

The Proposed Action would continue to meet the public land health standard for water quality. The allotment is less than 2 miles from the Yampa River, which is on the State's 303(d) list for a high priority recoverable iron impairment and is also on the Monitoring and Evaluation List for suspected sediment problems. Permitting livestock grazing as proposed is consistent with land uses throughout the watershed and would not exacerbate these existing water quality issues identified by the State.

Name of Specialist and date: Emily Spencer, 7/27/10

## Attachment #4 DOI-BLM-CO-N010-2010-0110-DNA Cultural Resource and Native American Concerns

Affected Environment: Grazing authorization renewals are undertakings under Section 106 of the National Historic Preservation Act. During Section 106 review, a cultural resource assessment was completed for allotment #04080 on July 19, 2010 by Robyn Watkins Morris, Little Snake Field Office Archaeologist. The assessment followed the procedures and guidance outlined in the 1980 National Programmatic Agreement Regarding the Livestock Grazing and Range Improvement Program, IM-WO-99-039, IM-CO-99-007, IM-CO-99-019, and IM-CO-01-026. The results of the assessment are summarized in the table below. Copies of the cultural resource assessments are in the Field Office archaeology files.

Data developed here was taken from the cultural program project report files, site report files, and base maps kept at the Little Snake Field Office as well as from General Land Office (GLO) maps, BLM land patent records, <u>An Overview of Prehistoric Cultural Resources Little Snake Resource Area, Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resources Series, Number 20, and <u>An Isolated Empire, A History of Northwestern Colorado, Bureau of Land Management Colorado, Cultural Resource Series, Number 2 and Appendix 21 of the <u>Little Snake Resource Management Plan and Environmental Impact Statement,</u> Draft February 1986, Bureau of Land Management, Craig, Colorado District, Little Snake Resource Area.</u></u>

The table below is based on the allotment specific analysis developed for the allotment in this DNA. The table shows known cultural resources, eligible and need data, and those that are anticipated to be in the allotment.

Allotment	Acres	Acres NOT	Percent of	Eligible or	Estimated	Estimated
Number	Surveyed at	Surveyed at	Allotment	Need Data	Sites for the	Eligible or
	a Class III	a Class III	Inventoried	Sites-	Allotment	Need Data
	Level	Level	at a Class	Known in	*(total	Sites in the
			III Level	Allotment	number)	Allotment
						(number)
04080	0	120	0	0	1	Less than 1

<sup>\*</sup>Estimates of site densities are based on known inventory data. Estimates should be accepted as minimum figures which may be revised upwards based on future inventory findings.)

No cultural resource surveys have occurred within the allotment. The General Land Office plats were reviewed for the area. There was an unnamed road to a spring in T7N R90W section 26 that was just south of the current BLM boundaries in 1910. There was nothing on the 1877 General Land Office Plat. Due to the small acreage, it is unlikely that there are many cultural resources. There are no known cultural resources that need to be monitored.

If historic properties are located during the subsequent field inventory, and BLM determines that grazing activities will adversely impact the properties, mitigation will be identified and implemented in consultation with the Colorado SHPO.

Environmental Consequences, both alternatives: The direct impacts that occur where livestock concentrate, during normal livestock grazing activity, include trampling, chiseling, and churning of site soils, cultural features, and cultural artifacts, artifact breakage, and impacts from standing, leaning, and rubbing against historic structures, above-ground cultural features, and rock art. Indirect impacts include soil erosion, gullying, and increased potential for unlawful collection and vandalism. Continued livestock use in these concentration areas may cause substantial ground disturbance and cause irreversible adverse effects to historic properties.

There is no proposed change to the AUMs or season of use and the area considered is very small. There would be minimum impact to cultural resources with the low level of AUMs being proposed. Saltblock placement, which creates a concentration area, along roads or anywhere in the allotment would potentially impact historic properties if they are in proximity of the placement.

Standard Stipulations for cultural resources are included in Standard and Common Terms and Conditions (Attachment 2).

Mitigation Measures: None

Name of Specialist and date: Robyn Watkins Morris, 7/19/10

### NATIVE AMERICAN RELIGIOUS CONCERNS

A letter was sent to the Eastern Shoshone, Uinta and Ouray Tribal Council, Southern Ute Tribal Council, Ute Mountain Ute Tribal Council on May 26, 2009. The letter listed the FY2010 projects that the BLM would notify them on and projects that would not require notification. A followup phone call was performed on July 26, 2009. No comments were received (Letter on file at the Little Snake Field Office). This project requires no additional notification.

Name of Specialist and date: Robyn Watkins Morris, 7/19/10